

Town Council Meeting: 12 November 2012



Town of Garrett Park
PO Box 84
4600 Waverly Avenue
Garrett Park, MD 20896

Regular Meeting of Town Council
Garrett Park Town Hall
10814 Kenilworth Avenue
Garrett Park, MD 20896

Draft MINUTES

Call to Order: Mayor Benjamin called the meeting to order at 7:30 PM. Present were Councilmembers Flynn, Mandel, Petito, Schulp, and Wegner. Also present were Administrator Pratt and Margaret Soltan of the Bugle. Representatives of public utilities present were: Walid Halboni and Gregory Gutzwiller of WSSC; Allan Melliza, Robert Glidewell, and Haytham Abu-Hantash of Washington Gas; Jerry Pasternak and Jack Chu of Pepco; Sean Curry, Joseph Askew, Jr. and Johnny Baumgardner of Verizon; and Joshua Bokee from Comcast.

Approval of Agenda: The agenda was approved as posted without objection.

Meeting with Representatives of Public Utilities to Discuss Coordination of Activities within Garrett Park:

Mayor Benjamin thanked the public utility representatives for coming to the meeting, and explained that the town had various concerns about their companies' activities in the Town, and that the Council would like to work with them in productive and cooperative ways to resolve these concerns. Mayor Benjamin noted that his letter of invitation (attached to these minutes) listed six areas of concern. The Mayor emphasized that the Town had no wish to get in the way of emergency work, but would like to receive better notice and more information regarding planned repair and maintenance work, as well as to establish better coordination between utilities when work involving the Town's infrastructure and trees was necessary to avoid repeated excavations and patching in Town streets and to establish better control of needed tree work. The Mayor asked that the utilities provide the Town with annual plans for routine and major maintenance projects within the Town.

Mr. Baumgardner of Verizon commented that the majority of Verizon's work involved responding to customer requests or repairs, but noted that the engineering department would be able to give notice of major plans for work in Town well in advance of such a project.

Mr. Melliza noted Wash Gas can and does notify the Town and affected residents in advance. He did not think that there were longer term plans in place.

Mr. Halboni stated that WSSC does the same, and also has disparate units for water, sewer, and storm drains which did not coordinate, so he could not commit for them. He professed that WSSC also has no longer-range plans.

Mayor Benjamin indicated that the Town also needs to be notified, and that being told of a pending project just before it begins does not allow for planning and coordination. The Town wants to be informed substantially in advance of a project; not just before it begins. He also stated that longer-term plans without specific start dates were useful for information purposes if followed by notification in advance of implementation as such plans become more defined. The Mayor stressed the importance of the Town being able not only to give residents advance notice, but also to explain what was happening once a project was started.

Mr. Bokee from ComCast noted that most work is for new service installation or repair, and is set up on short notice, and that larger scale projects are not likely in the near term.

Mr. Pasternak of Pepco reviewed the recent efforts made to coordinate pruning within the town with the Arboretum Committee and the Town's arborist, and committed to maintain and improve communication with the Town.

After extended discussion, Mayor Benjamin thanked the various public utility representatives for taking the time to attend the meeting, noting that each utility had agreed to provide a contact point to the Town, that the Town was designating the Town Administrator as its contact point, and that he hoped that everyone could look forward to better cooperation and communication.

Approval of Minutes:

- The minutes of the 10/08/2012 Regular Council Meeting were approved as circulated without objection.
- The minutes of the 10/08/2012 Council Executive Session were approved as circulated without objection.

Action

- **Authorization to Open Savings Account with Eagle Bank**

Administrator Pratt requested authorization to open a business savings account at Eagle Bank in order to keep all Town funds properly FDIC insured.

Councilmember Petito **MOVED** That the Clerk-Treasurer be authorized to open a savings account for the Town at the Eagle Bank of Maryland, to make an initial deposit of \$150,000, and to manage the account as signatory in the same manner as other Town savings accounts are currently managed.

Councilmember Mandel seconded the motion, which was **PASSED** unanimously.

- **Initial Decisions Regarding Search for New Town Administrator**

Councilmember Flynn reviewed her memo regarding the search for a new Town Administrator/Clerk-Treasurer with the council. (Attached to these minutes)
Councilmember Flynn reviewed the option of hiring a search firm, and referred to information on two such firms already circulated, noting that hiring such a firm for the full process is expensive, but that many firms are willing to do discrete components of the search. There was extended discussion, resulting in a consensus that a hybrid form was most desirable, in which the skills of a search firm would be utilized for those areas in which the Council had less experience, while the Council would carry out tasks in which it felt it had substantial competence.

Mayor Benjamin noted that the process would require several Council work sessions, with full attendance being necessary. It was the sense of the Council that a search committee of councilmembers should be formed, and Councilmembers Flynn, Mandel, and Wegner agreed to serve.

Adjournment: The meeting adjourned at 10:15 pm.

Attachment 1



Town of Garrett Park

Incorporated 1898

October 20, 2012

Utility company representatives:

We appreciate your interest in participating in a discussion with other utilities serving the Town of Garrett Park about how best to coordinate scheduled utility maintenance and improvement activities within the town. The discussion will be an early item on the agenda of the Garrett Park Town Council meeting scheduled for 7:30 pm on Monday, November 12, 2012 at the Garrett Park Town Hall, 10814 Kenilworth Ave., Garrett Park, MD.

The Garrett Park Town Council has received many complaints from residents that utility work is performed in front of their homes with minimal or no notice, causing substantial inconvenience, and with little or no information about what is being done and how long the work will take. Recognizing the importance of maintaining utility facilities and equipment, the Council is also concerned about the disruption which utility maintenance creates within the town, the lack of notice before such work commences, the length of time that work takes, and the form in which town infrastructure is left after the work is completed.

Section 719 of the Garrett Park Code of Ordinances requires advance notice of work by utilities and also requires a permit to excavate in public streets. The town could enforce the ordinance strictly, but understands the need to balance the desire for notice and control with the desire to have utilities respond quickly to emergencies and outages and the value of working cooperatively with the utilities.

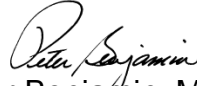
To this end, we wish to explore with the utility company representatives the following issues:

- Obtaining multi-year scheduled maintenance plans from each utility to permit advance knowledge of probable activities.
- Coordinating activities of utilities working at the same or nearby locations at approximately the same time to minimize disruption and restoration needs.
- Providing advance notice to residents about the nature of the work to be done, and the impact on both the community and on residents directly affected. This would include notice well in advance of possible service interruptions, as well as more immediate notice when the date and time of such interruptions is better known.
- Creating schedules which minimize both the extent and the duration of disruptions to service and to town infrastructure.
- Assuring that the town provides adequate support to the utilities to maximize the

- effectiveness of both their emergency and scheduled maintenance activities.
- Establishing relationships by which the town and the utilities can work together to assure that valuable resources in the town, such as trees, roads and sidewalks are not adversely affected by maintenance activities.

We look forward to your attendance and participation as we discuss these issues.

Thank you,

A handwritten signature in black ink, appearing to read "Peter Benjamin".

Peter Benjamin, Mayor

Attachment 2

November 8, 2012

TO: Mayor Benjamin and Fellow Town Council Members

FROM: Tara M. Flynn

RE: Town Administrator Search Discussion at November 12
Town Council Meeting

As you know, Ted Pratt will resign from his position as Town Administrator in June 2013. As a Council, choosing his successor is one of our most important tasks, certainly one that will have long-term implications for the Town.

So, our next meeting will be an opportunity for all of us to discuss not only the attributes we would like to see in our next Town Administrator but also how we want to go about conducting the search.

For purposes of that discussion, please review the below information. I will also forward to you emails from two search firms who have recently assisted Maryland municipalities with hiring their town/city administrators. That will give you all a sense of the types of services out there.

Topic A: Attributes of our Next Town Administrator

For purposes of discussion, I pulled together a non-exhaustive list of possible attributes for next Town Administrator:

- College Degree
- Advanced Degree in a related field (MBA or MPA) [required or preferred? Most job postings I have reviewed require it.]
- Past experience working in town or other municipal administration and demonstrated familiarity with the functions and responsibilities of municipalities. [Length of time? Require experience in Maryland?]
- Experience supervising staff; familiarity with human resource laws and requirements
- Experience and/or requisite skill set to create and manage budgets
- Demonstrated “people skills” – ability to work with various groups, including citizens, businesses, employees, stakeholders, etc.
- Demonstrated customer service skills: ability to respond to requests in a timely manner and convey information in a customer friendly manner
- Organization skills – ability to organize information, create systems, retrieve information, etc.

What would you like to see added or removed from this list? Also please see below discussion regarding the job description for the position.

Topic B: Job Description for next Town Administrator

The Town Charter delineates duties for the Clerk-Treasurer of the Town. In July 2002, the Town Council adopted a job description for the Town Administrator/Clerk Treasurer for the Town that was incorporated into Ted's employment contracts. It is Attachment 1 to this document. Please review it and the list above. Does it adequately describe the current job? A related matter: should we consider changing the name from Town Administrator to Town Manager? Is it a distinction without a difference or would it better describe the position.

Topic C: What will we willing to pay our next Town Administrator?

1. Salary: Ted's current salary is \$85,000 per year. The average salary for town managers (according to PayScale.Com) ranges between \$43K-\$150K.
2. Benefits: My understanding of Ted's current benefits is that they include the payment of the full cost of health, life, vision, and accidental death and dismemberment insurance. The Town contributes toward the 457 deferred compensation plan (7% of gross salary).
3. If we conduct a far-reaching search, would be willing to pay the moving expenses of our selected candidate?
4. We likely need additional information in order to reach a decision on this item.

Topic D: How to Conduct Search for Next Town Administrator

1. **Composition of Hiring Committee:** The first question is whether we want to form a sub-committee of the Council who would be responsible for conducting the search or whether we want to create a committee of residents and Town Council members to do so. There are likely individuals in the community who have more experience in conducting such searches and may provide guidance. That said, it is the Mayor and Council's responsibility per the Charter to hire personnel.
2. **In-House or Search Firm:** The second question is whether we wish to conduct the search ourselves or hire an executive search firm. Please review the emails from two such search firms that lay out the process from their end. Regardless of who conducts the search, it will entail: drafting a job description and job announcement, advertising the position, networking and recruiting additional candidates, narrowing the list of candidates, selecting candidates for interviews, preparing questions for interviews, arranging for background checks, negotiating with candidates, etc.
3. **In-House Pros and Cons:**

Pros: Much cheaper than hiring a search firm; would have to pay for advertisements and background checks but for many search firms those are “add-ons.”

Cons: Conducting the search will require a lot of time and effort. We may not have the expertise to handle some of the issues; won’t have another party to bounce ideas off of; have to handle dicey issues ourselves, such as how to handle candidates from within the Town.

4. Search Firm Pros and Cons:

Pros: Have the guidance of professionals; have greater access to networking channels to locate candidates; will require less time on the part of the Council; have third party to bounce ideas off of and to help handle dicey issues. Some search companies have one or two year guarantees, if the chosen candidate leaves within those time frames.

Cons: Cost, Cost, Cost. The cost of a “soup to nuts” executive search will be in excess of \$20,000.

5. Possibility of a Hybrid System: We should consider whether there are tasks that we could carve out and perhaps hire an executive search firm to assist us with them. One search firm with whom I spoke said that her company can do certain portions of the search for much less money. Would there be portions of the search we would like to “parse” out, e.g., the actually handling of the resumes that come in and the narrowing of candidates?

Note: If we chose to proceed with a search firm, we would need to comply with the Town’s Procurement Policy, attached as Attachment 2.

Attachment 1 : Contents of July 2002 Job Description

TOWN ADMINISTRATOR/CLERK-TREASURER Job Description

Must have strong interpersonal skills for dealing with the needs of Town residents and supporting and recommending initiatives of Mayor and Council members. Must be able to manage and support a coordinated and cooperative approach to problem solving and decision-making. Must be a good listener as well as an effective communicator and, under the direction of the Mayor and Council, be a team player with responsibility for overseeing all aspects of Town operations and staff:

1. ADMINISTRATIVE -- Manages the day-to-day operation of the Town:
 - Administers Town ordinances, including the review and issue of permits in coordination with Mayor, Council members, and relevant resident volunteers.
 - Identifies potential legal issues and advises the Mayor and Council with regard to them, and consults with Town Attorney in coordination with the Mayor.
 - Advises and assists the Mayor and Council in complying with relevant laws and regulations.
 - Maintains election rolls and coordinates with election officials.
 - Ensures that ordinances and files are well maintained.
2. MEETINGS.
 - Manages and supports the formation and maintenance of all official Town meetings, committees and related activities as necessary.
 - Staffs and provides information, support, and follow through for Town Council meetings and committees as necessary, including the preparation of ordinances and resolutions as needed.
3. SERVICES.
 - Manages or supervises Town projects, including construction projects as necessary, as directed by the Mayor and Council.
 - Supervises, as directed by the Mayor and Council, maintenance and facility management, including scheduling and oversight of routine services and

maintenance and improvements of Town grounds, roadways and buildings.
Manages Town relationship with contracted service providers.

4. PERSONNEL. As directed by the Mayor and Council:

- Supervises Town staff, with responsibilities for employee activities, job evaluations and personnel files.
- Coordinates employee assignments received from the Mayor, Council, residents and contractors.
- Follows Town human resources procedures as recommended by the Mayor and adopted by the Council.
- Does not have the right to hire or fire employees without the concurrence of the Mayor.

5. FINANCIAL. As Clerk-Treasurer:

- Has responsibility for the collection, disbursement and custody of all revenues, taxes, assessments, rents and the like.
- Manages and reviews all financial accounts. Ensures that the Town maintains an accurate accounting system. Prepares necessary financial reports. Is responsible for Town financial management and assists the Mayor in preparing the budget.
- Advises and assists the Mayor and Council in complying with the terms of insurance and other contracts.
- Coordinates contract negotiations and administration.
- Manages grant applications, and assists the Mayor and Council to meet all applicable requirements and achieves best fiscal practices.
- Provides advice to the Mayor and Council on long-range fiscal status and long-term implications of proposed policy actions. Possesses insight into cash and investment management approaches, capital improvement planning, revenue enhancement, and cost containment strategies.

6. COMMUNICATIONS AND LIAISON.

- **In concert with the Mayor and Council, maintains open and responsive communication with Town residents to inform the residents about Town activities and decisions that affect them.**

- Is proficient in hearing and responding to citizen concerns, needs, and complaints, personally managing relationships with Town residents, and maintaining the Town's history of an open, caring style of government.
- Ensures prompt and effective communication among elected officials and Town residents, while maintaining appropriate confidentiality and record keeping.
- Represents the Town as necessary in coordination with the Mayor and Council in public forums.
- Communicates and interacts effectively and efficiently with other government agencies on a regular basis.

7. TRAINING AND EXPERIENCE.

- College graduate.
- At least three years of full-time, progressively responsible experience in an administrative/management capacity in local government.
- Strong financial management and budgetary skills.
- At least one year of supervisory experience.
- Certification as a municipal clerk and/or records manager is desirable.
- Project management experience is desirable.

8. KNOWLEDGE, SKILLS AND ABILITIES.

- Sensitive to the informal nature of a small town and the need to foster community spirit.
- Skill in dealing with the public in stressful situations.
- Knowledge of the organization, functions, and goals of municipal government.
- Knowledge of applicable laws and best practices.
- Ability to exercise independent judgment
- Ability to maintain complete and accurate records.
- Ability to prioritize and organize.
- Ability to speak and write effectively.

- Strong computer skills, including word processing, database management, spreadsheets, and Internet usage. Web page administration skills desirable.
- Must be available for evening Council meetings and occasional evening and weekend activities.

As adopted by the Town Council on July 8, 2002.

Attachment 2: Town Procurement Policy

Contracting Procedures

Initial Contracts

1. Sole source contracts are permitted under any of the following conditions:
 - For other than professional services contracts, total contract value (including options and renewals) is under \$10,000;
 - Time exigency;
 - Only one supplier of the product;
 - Compatible with existing equipment; and/or
 - For professional services contracts, total contract value (including options and renewals) is under \$25,000 and the contract is not a continuing or repetitive contract.
2. Informal voice quotes from at least 3 suppliers are permitted for contracts under \$25,000.
3. Written requests for proposals (RFP) and advertised bids are required for all contracts over \$25,000. Such RFPs must specify:
 - Items or services to be purchased;
 - Length of contract;
 - Options or renewals to be considered;
 - Criteria for selection; and
 - Procurement procedure to be used.
4. In all cases the basis for award must be provided in writing.

Contract Renewals

1. Contracts may be renewed with the same provider under the following conditions:
 - Service or products received must have been satisfactory;
 - Renewal cannot exceed 3 years; and
 - Total value of all renewals cannot exceed 4 times the initial contract value.

Competitive Procurement Procedures

1. The following procurement procedures may be used for any competitive contract:
 - Low bid against specifications;
 - Best value;
 - Negotiated among a set of pre-qualified bidders; and
 - Negotiated best value.

Contract Awards

1. Contract award may be made by the council member in charge of the area, by the Town Administrator or by the Mayor without Town Council approval under the following conditions:
 - The contract is under \$10,000, or
 - The contract is under \$25,000 and is a renewal or exercise of an option.
2. All other contracts require Town Council approval.
3. Initial contracts must be reviewed by the Town Office/Attorney for their completeness, sufficiency, and related items.
4. Contracts may be signed by the following individuals:
 - Council member in charge of an area for contracts up to \$50,000, or
 - Mayor, or Town Administrator, if so designated by the Mayor, for all contracts.
5. After a contract has been awarded, the person who signed the contract, that person's replacement in that position, or any person so designated by the Mayor, is the contracting officer. The contracting officer is responsible for managing the contract and may authorize modifications and change orders that do not cause the contract to exceed the project budget as established by the Town Council, or the total value of the contract if there is no project budget.

Disadvantaged Businesses

1. The Town of Garrett Park strongly encourages the use of minority and disadvantaged business enterprises by contractors engaged in Town business.